

JOSHUA HILL, SBN 250842
jhill@sidley.com
EMILY A. CAVENESS, SBN 290527
ecaveness@sidley.com
SIDLEY AUSTIN LLP
555 California Street, Suite 2000
San Francisco, California 94104
Telephone: (415) 772-1200
Facsimile: (415) 772-7400

Attorneys for JAMES ROSS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES ROSS,

Defendant.

) Case No. CR-13-0638-JST
)
) Assigned to: Hon. Jon S. Tigar
)
) **STIPULATION AND ~~PROPOSED~~**
) **ORDER TO VACATE AND RE-SET PRE-**
) **TRIAL MOTION SCHEDULE AND**
) **TRIAL DATE**

Whereas, on May 16, 2014, defendant James Ross filed Motions to Dismiss and for a Bill of Particulars (Dkt. # 27; the "Motions");

Whereas, the current briefing and hearing schedule requires the government to file any response by May 30; the defendant to file any reply by June 6; and the hearing on the Motions to occur on June 19;

Whereas, the current trial date is September 8, 2014;

Whereas, the parties have been, and will continue to be, involved in plea negotiations;

Whereas, in furtherance of an orderly, efficient process that conserves resources and will encompass the plea negotiations, and, if necessary, the motion schedule and trial, the parties desire to revise the pre-trial motion and trial schedule, as set forth below, subject to this Court's approval:

IT IS HEREBY STIPULATED, by and between the parties to this action, that the briefing and hearing schedule on Defendant's pre-trial motions and the trial previously set before the Honorable Jon S. Tigar be vacated and re-set as follows:

1. The government's opposition to the Motions is due on or before June 25, 2014;
2. The defendant's reply is due on or before July 9, 2014;
3. The hearing on the Motions is continued to July 18, 9:30 a.m. (Oakland courthouse);
4. The trial date is continued to November 10, 2014, or the first date thereafter that is available on the Court's trial calendar;
5. The briefing and hearing schedule previously set in this Court's order dated April 29, 2014, is vacated, as is the September 8, 2014 trial date.

SO STIPULATED.

DATED: May 22, 2014

By: /s/ Thomas Stevens
THOMAS STEVENS
Assistant United States Attorney

DATED: May 22, 2014

SIDLEY AUSTIN LLP
By: /s/ Joshua Hill
JOSHUA HILL
EMILY A. CAVENESS
Attorneys for Defendant JAMES ROSS

[PROPOSED] ORDER

The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is also necessary to allow counsel for the defendant and the attorney for the government the reasonable time necessary to engage in plea negotiations.

Based on these findings, IT IS HEREBY ORDERED THAT the current pre-trial motion briefing and hearing schedule and the trial date are vacated and re-set as follows:

1. The government's opposition to the Motions is due on or before June 25, 2014;
2. The defendant's reply is due on or before July 9, 2014;
3. The hearing on the Motions is continued to ~~July 18 at 9:30 a.m. (Oakland~~
July 22, 2014 at 9:30 a.m.
(San Francisco courthouse);
~~courthouse);~~
4. The trial date is continued to November 10, 2014, ~~or the first date thereafter that is~~
~~available on the Court's trial calendar; and~~
5. The briefing and hearing schedule previously set in this Court's order dated April 29, 2014, is vacated, as is the September 8, 2014 trial date.

IT IS SO ORDERED.

Dated: May 23, 2014

